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PILLSBURY WINTHROP SHAW PITTMAN, LLP  
c/o SUSAN TRADER  
1650 TYSONS BOULEVARD  
P.O. BOX 10500  
MCLEAN, VA 22102

EXAMINER
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NGUYEN, TAN D

ART UNIT	PAPER NUMBER
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3689

NOTIFICATION DATE	DELIVERY MODE
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03/29/2012

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docket\_IP@PillsburyLaw.com  
Susan.Trader@PillsburyLaw.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/091,573	KRAENZEL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dean T. Nguyen	3689	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 1,2,4-6,8,12,14,15,17-19,21,25-27,29-31,33 and 37-46 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1,2,4-6,8,12,14,15,17-19,21,25-27,29-31,33 and 37-46 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/27/2011 has been entered.

### ***Response to Amendment***

2. The amendment filed of 4/27/2011 has been entered.

### ***Claim Status***

3. Claims pending: 1-2, 4-6, 8, 12, 14-15, 17-19, 21, 25-27, 29-31, 33, 37-46.

1) Claims canceled: 3, 7, 9-11, 13, 16, 20, 22-24, 28, 32, 34-36.

2) Claims amended: 1, 12, 14, 25, 26-27, 37-38.

3) Claims new: 45-46.

The pending claims comprise 4 groups of claims:

1) Method: 1-2, 4-6, 8, 12, and 38-44,

2) System<sup>1</sup>: 14-15, 17-19, 21 and 25,

3) A computer program product: 26-27, 29-31, 33 and 37, and

4) system: 45-46.

As of 4/7/2011, independent method claim 1 is as followed:

1. (Currently Amended) A computer-implemented method for identifying synergistic opportunities among users within a computer network by matching users with a common user-generated topic of interest, the computer-implemented method comprising:

a) receiving a topic of interest and associated information from a first user on a user interface on a first computer;

b) creating a group e-mail address, a virtual team workspace, or both based on the topic and the associated information received from the first user;

c) storing the received topic of interest and the associated information on a storage medium in communication with the first computer;

d) monitoring computing activities of a second user by a software monitoring module; determining if the second user appears to be interested in the received topic based on the monitored activities of the second user and based on the associated information; and

e) responsive to a determination that the second user is interested in the received topic; notifying the second user of the existence of the received topic, and

f) presenting an option to the second user for being added to the group e-mail address, the virtual team workspace, or both.

Note: for convenience, letters (a)-(f) are added to the beginning of each step.

***Principles of Laws***

4. The preamble is normally considered “being optional” and does not have much patentable weight since many times it is merely statements of purpose or intended use. See MPEP 2111.02 It’s the body of the claim that matters and the current body of the claims have no tie to any particular machine. *Corning Glass Works*, 868 F.2d at 1257, 9 USPQ2d at 1966. If the body of a claim fully and intrinsically sets forth all of the limitations of the claimed invention, and the preamble merely states, for example, the purpose or intended use of the invention, rather than any distinct definition of any of the claimed invention's limitations, then the preamble is not considered a limitation and is of no significance to claim construction. *Pitney Bowes, Inc. v. Hewlett-Packard Co.*, 182 F.3d 1298, 1305, 51 USPQ2d 1161, 1165 (Fed. Cir. 1999). See also *Rowe v. Dror*, 112 F.3d 473, 478, 42 USPQ2d 1550, 1553 (Fed. Cir. 1997) (“where a patentee defines a structurally complete invention in the claim body and uses the preamble only to state a purpose or intended use for the invention, the preamble is not a claim limitation”); *Kropa v. Robie*, 187 F.2d at 152, 88 USPQ2d at 480-81 (preamble is not a limitation where claim is directed to a product and the preamble merely recites a property inherent in an old product defined by the remainder of the claim); *STX LLC v. Brine*, 211 F.3d 588, 591, 54 USPQ2d 1347, 1350 (Fed. Cir. 2000) (holding that the preamble phrase “which provides improved playing and handling characteristics” in a claim drawn to a head for a lacrosse stick was not a claim limitation).
5. Claims 14-15, 17-19, 21 and 25, 45-46 are apparatus claim. In examination of the apparatus claim, the claims must be structurally distinguishable from the prior art.

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While features of an apparatus claim may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. See (1) MPEP 2114. (2) *In re Schreiber*, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir. 1997). Apparatus claims cover what a device is, not what a device does, i.e. "device which acts or performs ...". (3) *Hewlett-Packard Co. vs. Bausch & Lomb Inc.* (Fed. Circ. 1990). Manner of operating the device or elements of the device, i.e. recitation with respect to the manner in which a claimed apparatus is intended to be employed/used, does not differentiate apparatus from the prior art apparatus. (4) *Ex parte Masham*, 2 USPQ2d 1647 (BPAI, 1987).

6. As for the amended language of "...for being added to the group e-mail address, the virtual team workspace, or both", this is considered as "intended use" of the "presented option" and may not carry any patentable weight.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

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3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. On October 10, 2007, the Patent Office issued the "Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in KSR International Co. v. Teleflex Inc.," 73 Fed. Reg. 57,526 (2007) (hereinafter the Examination Guidelines). Section III is entitled "Rationales to support rejections under 35 U.S.C. 103." Within this section is the following quote from the Supreme Court: "rejections on obviousness grounds cannot be sustained by merely conclusory statements; instead there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." KSR Int'l Co. v. Teleflex Inc., 127 S. Ct. 1727, 1741 (2007) (quoting In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Under the Examination Guidelines, the following is a list of rationales that may be used to support a finding of obviousness under 35 U.S.C. § 103:

(a) combining prior art elements according to known methods to yield predictable results;

(b) simple substitution of one known element for another to obtain predictable results;

(c) Use of known technique to improve similar devices (methods, or products) in the same way;

(d) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;

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(e) "Obvious to try" choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;

(f) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art; and

(g) Some teaching, suggestion, or motivation (TSM) in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention.

Each rationale is resolved using the Graham factual inquiries.

11. Claims 1-2, 4-6, 8, 12, and 38-42 (method), 14-15, 17-19, 21 and 25 (system), and 26-27, 29-31, 33 and 37 (product), and 45-46 (system) are rejected under 35 U.S.C. 103(a) as being unpatentable over (1) STEVENS in view of (2) KUMBHYR et al and (3) KHAYATAN et al. (US 2002/0 141 560).

As for independent claim 1, 14, and 26, 45, STEVENS fairly teaches a method, system, and article for identifying synergistic opportunities among users within a computer network by matching users with a common user-generated topic of interest, the computer-implemented method comprising:

a) receiving a topic (information, subject, interest, etc.) of interest and associated information (personal profiles) from a first user on a user interface on a first computer;

{see Figs. 3, 1B, pars. [0032, 0033, 0039]}

b) storing the received topic of interest declared topics and the associated information on a storage medium in communication with the first computer;

{see Figs. 1B, 3, pars. [0032]}

c) identifying other (second) user/s of similar interest or appear to be interested in the received topic/interest of the first user,



{see Figs. 3, 1B, pars. [0033-0034, 0037-0040]}

d) determining if the second user appears to be interested in the received topic based on the monitored activities of the second user and based on the associated information; and

{see Figs. 3, pars. [0039, 0039, 0063 “...if so, how the users want matching to users to contact them...information for the matching user(s) to the requesting user. The requesting user’s contact information may also be transmitted to the matching users **if the requesting user so desires...**”, pars. [0065-0066]}

e) notifying the second user of the existence of the received topic if it appears that the second user is interested in the received topic.

{see Figs. 3, 1B, pars. [0043 “... determine like interest... **users are then notified** concerning matches and maybe provided with the matching user’s information...”, 0041-0042]}

Alternatively, the applying of the customer profiling and identifying of desirable objects to other business issues or strategies would have been obvious as mere using the same system for other similar business issues. Also, Stevens generally describes comparing profile of a requesting user with profiles of the other users to identify one or more matching users. Upon locating a match, information and predetermined contact information for the matching user(s) is transmitted to the requesting user. The requesting user’s contact information may also be transmitted to the matching users if the requesting user so desires. The contact information may be sent to a e-mail address

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of the particular user. Further, users may exchange messages, e.g., using e-mail. See, ¶¶ [0032]-[0035], [0039] and [0062].

STEVENS fairly teaches the claimed invention except for the identifying other users (2<sup>nd</sup> user) is carried out by step ( c) of “monitoring computing activities of a second user by a software monitoring module” and the amended language or features.

In a similar method/system for monitoring and identifying users of similar interest, **KUMBHYR et al** is cited to teach the step ( c) of **monitoring computing activities** of a second user (group of users) by a software monitoring module and (d) **to determine** if that group of users have an interest in a certain topic or event in a **dynamic process** for potential business activities or transactions.

{see Figs. 1, 2, pars. [0004, 0016-0019, 0021, 0022-0024]

[0021”...*a system administrator may explicitly **designate that a given group has an interest in certain topic or events**. As shown in the group template of Fig. 4, the Boston **user group 101 may have an interest in the Boston Marathon event 102**. This interest may be determined by **either static or dynamic process**...*”]

[0022 “*a **dynamic determination** of interests may include discovery processes, surveys, **overall web-access patters**, and **linking of small patterns to form larger patterns**...may utilize **Web page access pattern information**...**browsing behavior over time reflecting....Web pages hits....**”]*

Therefore, it would have been obvious to a person having ordinary skill in the art (herein after as “PHOSITA”) at the time of the invention was made to modify the teachings of “identifying a second user of similar interest” of STEVENS by monitoring

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**computing activities** of a second user (group of users) by a software monitoring module to identify that group of users have an interest in a certain topic or event as taught by KUMBHYR et al using a dynamic process which is more advantageous and effective than static process of STEVENS {see Figs. 1, 2, pars. [0016-0019, 0021-0024]}.

Alternatively, it would have been obvious to a “PHOSITA” at the time of the invention was made to implement step (B) of the KSR obviousness test in the combination of KUMBHYR et al. into STEVENS. Test (B) is simple substitution of one known element for another to obtain predictable results.

The teachings of STEVENS /KUMBHYR et al. fails to teach the amended claim language.

In a group establishment method and system, KHAYATAN et al. teaches the concept of creating a group e-mail address, a virtual team workspace, or both;

e) responsive to a determination that the second user is interested in the received topic; notifying the second user, and

{see Figs. 2, 3, 4, 5, 10-12, 13-14, par. [0064-0066]}

f) presenting an option to the second user for being added to the group e-mail address, the virtual team workspace, or both.

{see Figs. 2, 3, 4, 5, 10-12, 13-14, abstract, par. [0009]}

Therefore, it would have been obvious to a PHOSITA at the time of the invention was made to modify the communication exchange between users using personal email of STEVENS /KUMBHYR et al. by using group e-mail address, a virtual team

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workspace, or both and option to invite other members (2nd user) to join as taught by KHAYATAN et al. for the benefits cited on ¶¶ [0009 “*managing groups of communicating individuals that enables fast and easy group establishment and management...*”].

As for dep. claims 2, 4-6 (part of 1 above), 15, 17-19 (part of 14 above), and 27, 29-31 (part of 26 above), which respectively have similar limitation, and deal with object monitoring parameters, i.e. email information/data (messages), instant messages, search request messages, etc., they are taught in pars. [0021 “...Web page **requests...**”, [0022 “...demand for data matching certain **keywords, data related to other data, or data accessed on certain dates or from a certain source/location...**”, ... *Web pages hits..*”], [0024], and especially [0019 ]}. Alternatively, the selection of other information/data source from users such as email or instant messages, etc. would have been obvious as mere selection of other well known user's computer activities information sources.

As for dep. claim 8 (part of 1 above), 21 (part of 14 above), and 33 (part of 26 above), which respectively have similar limitation which deal with sending the interested information to other (2<sup>nd</sup>) user, these are taught in STEVENS pars. [0039, 0063].

As for dep. claim 12 (part of 1 above), 25 (part of 14 above), and 37 (part of 26 above), which respectively have similar limitation which deal with adding the adding the second user to the distribution list (e-mail address) or team, these are taught in STEVENS pars. [0039, 0063] or KUMBHYR et al pars. [0019-0024] or KHAYATAN et al. Figs. 10-12, ¶¶ [0066-0072] .

As for dep. claim 38 (part of 1 above), which deal with object monitoring parameters, i.e. information type or descriptions, these are taught in STEVENS pars. [0032, 0035, 0037-0040, 0061, 0063-0065] and KUMBHYR et al pars. [0019, 0024-0026]. Alternatively, the selection of any other similar group communication exchangers such email addresses or workspace, would have been obvious for communication exchanges in view of the teachings of STEVENS and KUMBHYR et al as cited above.

As for dep. claims 40 and 42 (part of 1 above), which deal with various parties monitoring and communication parameters, these are taught in STEVENS in pars. 0037-0039, 0043-0045, 0049-0050, 0061-0065 and KUMBHYR et al pars. [0019-0023] and KHAYATAN et al. Figs. 10-12, 15 and 18-19..

As for dep. claim 41 (part of 1 above), which deal with the location of the monitoring system, this is inherently included in the teachings of KUMBHYR et al as shown on Figs. 1, 2, and pars. [0013-0015], [0019-0021]. Note that the limitation “or” in (, or on a server....), which indicates the “alternative” feature or option and not requiring all of the listed features.

As for dep. claim 46 (part of 45 above), this is taught in KHAYATAN et al. ¶¶ [0009, 0064-0070]

12. Dependent claims 43-44 (part of 1 above) are rejected under 35 U.S.C. 103(a) as being unpatentable over STEVENS /KUMBHYR et al/KHAYATAN et al. as applied to claims 1-2, 4-6, 8, 12, 38, 40-42 above, and further in view of (3) CAMPBELL et al.

In a business system for counterparty communications and business transactions, **CAMPBELL et al** is cited to teach well known steps for submitting request

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for proposal (RFP) or inquiry for transaction activities with another parties or entities, wherein the inquiry comprises an expiration date for the received topic of interest; and the further comprising the step of removing the received topic of interest and the associated information (inquiry) from the storage medium in communication with the first computer when a current date reaches the expiration date and archiving the received topic of interest and the associated information (inquiry) on the storage medium in communication with the first computer when a current date reaches the expiration date for effectively monitoring and keeping track of inquiries purpose.

{see Figs. 2, Fig. 5 “551 ENQUIRY/RFP identifier “59”, “NEW ENQUIRY FORM – “, ELEMENT 561 “STATUS”...”, Figs. 6-8B, 10, pars. [0084, 0070, 0082-0083, 0085, 0114-0116].

Therefore, it would have been obvious to a person having ordinary skill in the art (herein after as “PHOSITA”) at the time of the invention was made to modify the teachings of STEVENS/KUMBHYR et al by including well known steps for submitting request for proposal (RFP) or inquiry for transaction activities with another parties or entities, wherein the inquiry comprises an expiration date for the received topic of interest; and the further comprising the step of removing the received topic of interest and the associated information (inquiry) from the storage medium in communication with the first computer when a current date reaches the expiration date and archiving the received topic of interest and the associated information (inquiry) on the storage medium in communication with the first computer when a current date reaches the

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expiration date as taught by CAMPBELL et al for effectively monitoring and keeping track of inquiries purpose.

**13. Claims 1-2, 4-6, 8, 12, and 38-42 (method), 14-15, 17-19, 21 and 25 (system), and 26-27, 29-31, 33 and 37 (product), 45-46 (system) are rejected (2<sup>nd</sup> time) under 35 U.S.C. 103(a) as being unpatentable over (1) PAYTON (US 6,681,247) in view of (2) STEVENS and (3) KHAYATAN et al.**

**As for independent claim 1, 14, and 26, PAYTON** fairly teaches a method, system, and article for identifying synergistic opportunities among users within a computer network by matching users with a common user-generated topic of interest, the computer-implemented method comprising:

a) receiving a topic (information, subject, interest, etc.) of interest and associated information (personal profiles) from a first user on a user interface on a first computer;

{see Figs. 1, 2, col. 1, lines 47-65, col. 3, lines 28-67}

b) storing the received topic of interest declared topics and the associated information on a storage medium in communication with the first computer;

{see Figs. 1, 2, col. 4, lines 1-55}}

c) identifying other (second) user/s of similar interest by accessing the same web page on a rare topic (computing activities) or appear to be interested in the received topic/interest of the first user,

{see Figs. 1, 2, 4, col. 4, lines 10-57, col. 6, lines 1-15, col. 7, lines 15-67}}

d) determining the similarity of the second user in the received topic based on the monitored activities of the second user and based on the associated information; and

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{see col. 1, lines 35-45, col. 2, lines 1-40, col. 5, lines 30-65, col. 7, lines 15-67}

e) notifying the second user of the existence of the received topic if it appears that the second user is interested in the received topic.

{see col. 7, lines 50-67, Figs. 1, 2, 7}

Alternatively, the applying of the customer profiling and identifying of desirable objects to other business issues or strategies would have been obvious as mere using the same system for other similar business issues.

PAYTON fairly teaches the claimed invention except for explicitly disclosing the step of determining if the second user appears to be interested in the received topic based on the monitored activities of the second user and based on the associated information; and the amended language.

The teachings of STEVENS is cited above. Therefore, it would have been obvious to a PHOSITA at the time of the invention was made to modify the teachings of PAYTON by including the step of determining if the second user appears to be interested in the received topic based on the monitored activities of the second user and based on the associated information as taught by STEVENS in order to share interests or get to know the other users better as shown on pars. [0033, 0039].

The teachings of STEVENS /KUMBHRY et al. fails to teach the amended claim language.

In a group establishment method and system, KHAYATAN et al. teaches the concept of creating a group e-mail address, a virtual team workspace, or both;



e) responsive to a determination that the second user is interested in the received topic; notifying the second user, and

{see Figs. 2, 3, 4, 5, 10-12, 13-14, par. [0064-0066]}

f) presenting an option to the second user for being added to the group e-mail address, the virtual team workspace, or both.

{see Figs. 2, 3, 4, 5, 10-12, 13-14, abstract, par. [0009]}

Therefore, it would have been obvious to a PHOSITA at the time of the invention was made to modify the communication exchange between users using personal email of STEVENS /KUMBHRY et al. by using group e-mail address, a virtual team workspace, or both and option to invite other members (2nd user) to join as taught by KHAYATAN et al. for the benefits cited on ¶¶ [0009 “*managing groups of communicating individuals that enables fast and easy group establishment and management...*”].

As for dep. claims 2, 4-6 (part of 1 above), 15, 17-19 (part of 14 above), and 27, 29-31 (part of 26 above), which respectively have similar limitation, and deal with object monitoring parameters, i.e. email information/data (messages), instant messages, search request messages, etc., they are taught PAYTON col. 1, lines 25-67, col. 7, lines 15-67, and STEVENS pars. [0032-0033], [0037-0039].

As for dep. claim 8 (part of 1 above), 21 (part of 14 above), and 33 (part of 26 above), which respectively have similar limitation which deal with sending the interested

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information to other (2<sup>nd</sup>) user, these are taught in PAYTON Figs. 1-2, STEVENS pars. [0039, 0063].

As for dep. claim 12 (part of 1 above), 25 (part of 14 above), and 37 (part of 26 above), which respectively have similar limitation which deal with adding the adding the second user to the distribution list (e-mail address) or team, these are taught in STEVENS pars. [0039, 0063] or PAYTON Figs. 1, 2, col. 7, lines 15-67.

As for dep. claim 38 (part of 1 above), which deal with object monitoring parameters, i.e. information type or descriptions, these are taught in PAYTON col. 2, lines 5-67, col. 4, lines 5-57, and STEVENS pars. [0032, 0035, 0037-0040, 0061, 0063-0065]. Alternatively, the selection of any other similar group communication exchangers such email addresses or workspace, would have been obvious for communication exchanges in view of the teachings of STEVENS and KUMBHYR et al as cited above.

As for dep. claims 40 and 42 (part of 1 above), which deal with various parties monitoring and communication parameters, these are taught in STEVENS in pars. 0037-0039, 0043-0045, 0049-0050, 0061-0065 and PAYTON Figs. 1-2, col. 7, 12 and 14.

As for dep. claim 41 (part of 1 above), which deal with the location of the monitoring system, this is inherently included in the teachings of PAYTON Figs. 1, 2, 7, Note that the limitation “or” in (, or on a server....), which indicates the “alternative” feature or option and not requiring all of the listed features.

As for dep. claim 46 (part of 45 above), this is taught in KHAYATAN et al. ¶¶ [0009, 0064-0070]

14. Dependent claims 43-44 (part of 1 above) are rejected under 35 U.S.C. 103(a) as being unpatentable over PAYTON /STEVENS/KHAYATAN et al. as applied to claims 1-2, 4-6, 8, 12, 38, 40-42 above, and further in view of (3) CAMPBELL et al.

In a business system for counterparty communications and business transactions, **CAMPBELL et al** is cited to teach well known steps for submitting request for proposal (RFP) or inquiry for transaction activities with another parties or entities, wherein the inquiry comprises an expiration date for the received topic of interest; and the further comprising the step of removing the received topic of interest and the associated information (inquiry) from the storage medium in communication with the first computer when a current date reaches the expiration date and archiving the received topic of interest and the associated information (inquiry) on the storage medium in communication with the first computer when a current date reaches the expiration date for effectively monitoring and keeping track of inquiries purpose.

{see Figs. 2, Fig. 5 “551 ENQUIRY/RFP identifier “59”, “NEW ENQUIRY FORM –”, ELEMENT 561 “STATUS”...”, Figs. 6-8B, 10, pars. [0084, 0070, 0082-0083, 0085, 0114-0116].

Therefore, it would have been obvious to a PHOSITA at the time of the invention was made to modify the teachings of PAYTON /STEVENS/KHAYATAN et al. by including well known steps for submitting request for proposal (RFP) or inquiry for transaction activities with another parties or entities, wherein the inquiry comprises an expiration date for the received topic of interest; and the further comprising the step of

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removing the received topic of interest and the associated information (inquiry) from the storage medium in communication with the first computer when a current date reaches the expiration date and archiving the received topic of interest and the associated information (inquiry) on the storage medium in communication with the first computer when a current date reaches the expiration date as taught by CAMPBELL et al for effectively monitoring and keeping track of inquiries purpose.

***Response to Arguments***

15. Applicant's arguments on April 27, 2011 have been fully considered but they are not persuasive in view of applicant's amendment of the claims and new claims.

No claims are allowed.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct@uspto.gov>. Should you have any questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

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4. Any inquiry concerning the merits of the examination of the application should be directed to Dean Tan Nguyen at telephone number **(571) 272-6806**. My work schedule is normally Monday through Friday from 6:30 am - 4:00 pm. I am scheduled to be off every other Friday. Should I be unavailable during my normal working hours, my supervisor Janice Mooneyham can be reached at **(571) 272-6805**. The main FAX phone numbers for formal communications concerning this application are **(571) 273-8300**. My personal Fax is **(571) 273-6806**. Informal communications may be made, following a telephone call to the examiner, by an informal FAX number to be given.

/Tan Dean D. Nguyen/

Primary Examiner, Art Unit 3689